

**DEPARTMENT OF VETERANS AFFAIRS**

**Justification and Approval  
Under  
Simplified Acquisition Procedures (SAP)  
For Restricting Competition under FAR 13.106-1(b)(1) "Urgency"**

**1. Contracting Activity:**

Department of Veterans Affairs, Network Contracting Office (NCO) 20, for Portland, OR, Station 648.

**2. Nature and/or Description of the Action Being Processed:**

This procurement under PR # 648-12-1-5106-0013, PO # VA260-12-P-0139, awarded to Schindler Elevator Corporation, is for 24/7 emergency elevator services coverage, Portland, OR, where in accordance with FAR 6.001(a), acquisitions conducted under FAR 13 for SAP are exempt from the requirements of FAR Part 6, but still require a justification using the format of FAR 6.303-2, IAW the VHA SOP for Other Than Full And Open Competition dated 3-22-2011. This was awarded as a verbal purchase order, firm fixed-unit price at a not to exceed total cost.

**3. Description of Supplies or Services Required to Meet the Agency's Needs:**

Emergency 24/7 coverage for the elevators, cartlifts, and dumbwaiters while MCE drives were being replaced, Portland, OR. The total estimated value of the acquisition is \$136,376.00; cost per day is \$4,546.00. The period of performance was November 11, 2011 – December 10, 2011.

**4. Statutory Authority Permitting Restriction in Competition:**

The statutory authority for restricting competition under SAP, or Single Sourcing, for acquisitions under \$150,000 or Simplified Acquisition Threshold (SAT) is 41 U.S.C. 253(c), as implemented by FAR 13.106-1(b)(1). The specific reason for restricting competition is Urgency.

**5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**

The aging Motion Control Equipment (MCE) for the elevators was failing, and people were getting trapped in the elevators. Without the elevators, patients could not be moved. Although the drives were being swapped out under another contract, the VA could not risk elevator down time or more trapped people during the swap. 24/7 coverage was needed immediately before more elevators were shut down; the facility was down to only 2 elevators in operation. This was an emergent need.

**6. Description of Efforts Made to Ensure that Offers are Solicited from As Many Potential Sources as Deemed Practicable IAW FAR 13.104:**

Under normal circumstances this procurement would fall under usual requirements for open-market competition and be open to quotes from any and all eligible contractors. However, it was critical that the VA keep the elevators working 24/7 in the hospital environment, and there was not time to post the need on GSA eBuy nor FedBizOps. Due to expediency, it was practical to get a price quote from the company familiar with the elevators that has the maintenance contract rather than conduct walk-throughs with additional sources even within the trade area.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable – IAW FAR 13.106-3:**

Price is established as fair and reasonable in comparison with prices on GSA schedule, GS-21F-0053X, Centric Elevator Corporation which states hourly rates at location Portland, OR.

Centric Elevator Corporation GS-21F-0053X Comparison (not a quote)	Schindler Quote
Mechanic Straight Time, \$164.13: 24 days x 24 hours x \$164.13 = \$94,538.88	Not quoted in this manner
Mechanic Sunday, \$317.944: 4 Sundays and 2 holidays, 6 days x 24 hours x \$317.94 = \$45,783.36	Not quoted in this manner
Total \$140,322.24	Total not to exceed amount is \$136,376.00
Average daily rate (divide by 30 days) = \$4,677.408	Cost per day is \$4,546.00

This comparison shows the Schindler quote is fair and reasonable. The proposed prices are in the best interest of the Government.

8. **Description of the Market Research Conducted and the Results, or Statement of Reasons Market Research was not Conducted (FAR 10):**

No market research was conducted due to the urgency of the requirement.

9. **Any Other Facts Supporting the Restriction of Competition:**

The VA has several current orders with Schindler Elevator Corp: VA260-BP-0074 for elevator maintenance, 684-C11995 to replace elevator drives, and 648-C01820 to upgrade the dumbwaiters. Schindler Elevator Corp is the contractor for the maintenance service and the installers for the drivers so it would be extremely difficult for the VA to have a second company do the 24/7 coverage – how would the VA divvy up duties between the contractors without dispute? In order to have clear lines of responsibility, it was expedient that Schindler Elevator Corp provide the 24/7 coverage. (24/7 coverage was not already covered under any of the aforementioned orders.)

10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**

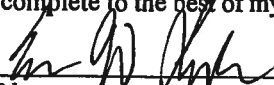
No sources expressed in writing an interest in the acquisition.

11. **Statement of Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making Subsequent Acquisitions for the Supplies or Services Required:**

Because this is a one-time purchase order for an emergency need that is not expected to re-occur, the Agency is not expecting subsequent like acquisitions.

**12. Requirements Certification - IAW FAR 6.303-2(c):**


I certify that the requirement outlined in this justification is a bonafide need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.

  
Name: ERIC LIERLA  
Position: CHIEF, MAINTENANCE & REPAIR

2/7/2012  
Date


**13. Approvals IAW VHA SOP 3.22.11:**

- a. **Contracting Officer's Certification:** (required) I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

  
DARLENE ANDERSON  
Contracting Officer  
NCO 20 Services Acquisitions Team

2-7-2012  
Date

- b. **Acquisition Manager's Review and Approval:** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval for other than full and open competition.

  
Lynnial E. Trusty Jr.  
NCO 20 Network Contracts Manager  
Service Area Office - West

2/16/2012  
Date